

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,)	
)	
Plaintiff,)	
)	C.A. No. 22-1377-JLH
v.)	
)	JURY TRIAL DEMANDED
MASIMO CORPORATION and)	
SOUND UNITED, LLC,)	
)	
Defendants.)	
<hr/>		
MASIMO CORPORATION,)	
)	
Counter-Claimant,)	
)	
v.)	
)	
APPLE INC.,)	
)	
Counter-Defendant.)	
<hr/>		
APPLE INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 22-1378-JLH
)	
MASIMO CORPORATION and)	
SOUND UNITED, LLC,)	
)	
Defendants.)	
<hr/>		
MASIMO CORPORATION and)	
CERCACOR LABORATORIES, INC.,)	
)	
Counter-Claimants,)	
)	
v.)	
)	
APPLE INC.,)	
)	
Counter-Defendant.)	

**JOINT STATUS REPORT REGARDING
OBJECTIONS TO REPORT & RECOMMENDATION**

Pursuant to the Court's direction at the January 16, 2024 hearing, the parties conferred regarding how the Court should resolve the pending objections to the Report & Recommendation. 1377 D.I. 392; 1378 D.I. 413. In this instance, the parties consent to the Court reissuing the Report & Recommendation as an order of the Court and agree that such a conversion would constitute a rejection of the pending objections.

Dated: January 23, 2024

POTTER ANDERSON & CORROON LLP

/s/ David E. Moore

David E. Moore (#3983)
Bindu A. Palapura (#5370)
Andrew M. Moshos (#6685)
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
Tel: (302) 984-6000
dmoore@potteranderson.com
bpalapura@potteranderson.com
amoshos@potteranderson.com

OF COUNSEL:

John M. Desmarais
Jordan N. Malz
Cosmin Maier
Kerri-Ann Limbeek
Jeffrey Scott Seddon, II
DESMARAIS LLP
230 Park Avenue
New York, NY 10169
Tel: (212) 351-3400

Peter C. Magic
DESMARAIS LLP
101 California Street
San Francisco, CA 94111
Tel: (415) 573-1900

Jennifer Milici
Leon B. Greenfield
Dominic Vote

PHILLIPS MCLAUGHLIN & HALL, P.A.

/s/ John C. Phillips, Jr.

John C. Phillips, Jr. (#110)
Megan C. Haney (#5016)
1200 North Broom Street
Wilmington, Delaware 19806
(302) 655-4200
jcp@pmhdelaw.com
mch@pmhdelaw.com

OF COUNSEL:

Joseph R. Re
Stephen C. Jensen
Stephen W. Larson
Jared C. Bunker
Benjamin A. Katzenellenbogen
Douglas B. Wentzel
Kendall M. Loebbaaka
KNOBBE, MARTENS, OLSON, & BEAR LLP
2040 Main Street, 14th Floor
Irvine, CA 92614
Knobbe.MasimoDE@knobbe.com

Brian Horne
KNOBBE, MARTENS, OLSON, & BEAR LLP
1925 Century Park E., Suite 600
Los Angeles, CA 90067
Knobbe.MasimoDE@knobbe.com

Adam Powell
KNOBBE, MARTENS, OLSON, & BEAR LLP
3579 Valley Centre Drive, Suite 300

**WILMER CUTLER PICKERING HALE
AND DORR LLP**
2100 Pennsylvania Avenue NW
Washington, DC 20037
Tel: (202) 663-6000

Mark A. Ford
**WILMER CUTLER PICKERING HALE
AND DORR LLP**
60 State Street
Boston, MA 02109
Tel: (617) 526-6423

*Attorneys for Plaintiff/Counter-Defendant Apple
Inc.*

San Diego, CA 92130
Knobbe.MasimoDE@knobbe.com

*Attorneys for Defendant/Counter-Claimant
Masimo Corporation, Defendant Sound
United, LLC, and Counter-Claimant
Cercacor Laboratories, Inc.*